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## IN THE UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF GEORGIA AUGUSTA DIVISION

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IN THE MATTER OF:	)		U.S. DANKKUPTOM COURT AUGUSTA, GA	
DAVID JAMES PERKINS TONYA ROXSANN PERKINS	)	CHAPTER 13 CASE NO.: 05-	SAMUEL L. KAY, CLERK	
DEBTOR	)			

## TRUSTEE'S OBJECTION TO CONFIRMATION OF MODIFIED PLAN

COMES NOW Barnee C. Baxter, Chapter 13 Trustee, and objects to the confirmation of the modified plan filed in the captioned case and in support thereof shows:

- 1. Debtor's proposed plan was filed September 29, 2005.
- 2. The plan was confirmed on February 16, 2006. At the time of confirmation, it was estimated that unsecured creditors would receive not less than 10% of their allowed claims.
- 3. On February 22, 2007, Debtor proposed a modified plan; to wit: Debtor seeks to surrender 1997 Dodge Caravan to State Farm Bank.
- 4. Trustee requests a hearing as to the disposable income of Debtor and the purported necessity to modify the confirmed plan.

WHEREFORE, Trustee objects to the Confirmation of the proposed modification.

Barnee C. Baxter Chapter 13 Trustee

## CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the foregoing on the below listed persons by depositing a copy of the same in the United States Mail with sufficient postage thereon to assure proper delivery:

DAVID JAMES PERKINS TONYA ROXSANN PERKINS 349 KILPATRICK RD WAYNESBORO GA 30830

WARD & SPIRES LLC P O BOX 1493 AUGUSTA GA 30903

This 26th day of February, 2007.

Sherrie Hartley